

Town Board Minutes

February 10, 2003

Meeting No. 6

A joint meeting of the Town Board and the Planning Board of the Town of Lancaster, New York, was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 10th day of February 2003, at 6:30 PM and there were

PRESENT: ROBERT GIZA, SUPERVISOR
 MARK MONTOUR, COUNCIL MEMBER
 RONALD RUFFINO, COUNCIL MEMBER
 DONNA STEMPIAK, COUNCIL MEMBER
 JOHN GOBER, PLANNING BOARD MEMBER
 LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER
 MICHAEL MYSZKA, PLANNING BOARD MEMBER
 STEVEN SOCHA, PLANNING BOARD MEMBER

ABSENT: RICHARD ZARBO, COUNCIL MEMBER
 REBECCA ANDERSON, PLANNING BOARD MEMBER
 STANLEY KEYSA, PLANNING BOARD CHAIRMAN
 MELVIN SZYMANSKI, PLANNING BOARD MEMBER

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
 RICHARD SHERWOOD, TOWN ATTORNEY

PURPOSE OF MEETING:

This joint meeting of the Town Board and Planning Board of the Town of Lancaster was held for the purpose of acting as a Municipal Review Committee for one (1) action.

**IN THE MATTER OF THE SEQR REVIEW OF THE
CRICKET COMMUNICATIONS CELL TOWER CO-LOCATION**

The Municipal Review Committee proceeded with the short Environmental Assessment Form on the Cricket Communications cell tower co-location matter with an item for item review and discussion of the project impact and magnitude as outlined on the Short Environmental Assessment Form, entitled "Part II Environmental Assessment", which was provided to each member.

THE FOLLOWING RESOLUTION WAS OFFERED
BY PLANNING BOARD MEMBER GOBER
WHO MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPNIAK, TO WIT:

RESOLVED, that the following Negative Declaration be adopted.

**NOTICE OF DETERMINATION:
CRICKET COMMUNICATIONS CELL TOWER CO-LOCATION
NEGATIVE DECLARATION**

PLEASE TAKE NOTICE, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is an unlisted action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact relative to the criteria found in 6NYCRR, Part 617.7, the lead agency now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law in accordance with 617.12.

NAME AND ADDRESS OF LEAD AGENCY

Town of Lancaster
21 Central Avenue
Lancaster, New York 14086
Richard J. Sherwood, Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development is of a parcel involving approximately 0.01± acres.

The location of the premises being reviewed is situate at 69 Cemetery Road, Lancaster, County of Erie, New York.

REASONS SUPPORTING DETERMINATION

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found, in their item for item completion of the Short Environmental Assessment Form on this proposed action as follows:

- A. The action does not exceed any type 1 threshold in 6 NYCRR, Part 617.4.
- B. The action will not receive coordinated review as provided for unlisted actions in 6 NYCRR, Part 617.6.
- C. The proposed action will not result in any adverse effects associated with the following: (except as noted)
 - C.1 Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems.

_____ **No significant adverse effects noted**

- C.2 Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character.

No significant adverse effects noted

- C.3 Vegetation or fauna, fish, shellfish or wildlife species significant habitats, or threatened or endangered species.

No significant adverse effects noted

- C.4 A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources.

No significant adverse effects noted

- C.5 Growth, subsequent development, or related activities likely to be induced by the proposed action.

No significant adverse effects noted

- C.6 Long term, short term, cumulative, or other effects not identified in C1-C5.

No significant adverse effects noted

- C.7 Other impacts (including changes in use of either quantity or type of energy).

No significant adverse effects noted

- D. The Town of Lancaster has not established a critical environmental area (CEA) pursuant to subdivision 6NYCRR617.14(g), therefore the proposed action will not impact the exceptional or unique characteristics of a critical environmental area (CEA).

E. There is not, nor is there likely to be, controversy related to potential adverse environmental impacts.

s/s_____

Robert H. Giza, Supervisor
Town of Lancaster

SEAL

February 10, 2003

and,

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and

BE IT FURTHER

RESOLVED, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a voice vote which resulted as follows:

| | |
|------------------------------------|------------|
| SUPERVISOR GIZA | VOTED YES |
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPNIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | WAS ABSENT |
| PLANNING BOARD MEMBER ANDERSON | WAS ABSENT |
| PLANNING BOARD MEMBER GOBER | VOTED YES |
| PLANNING BOARD CHAIRMAN KEYSA | WAS ABSENT |
| PLANNING BOARD MEMBER KORZENIEWSKI | VOTED YES |
| PLANNING BOARD MEMBER MYSZKA | VOTED YES |
| PLANNING BOARD MEMBER SOCHA | VOTED YES |
| PLANNING BOARD MEMBER SZYMANSKI | WAS ABSENT |

The Notice of Determination was thereupon unanimously adopted.
February 10, 2003

ADJOURNMENT:

ON MOTION OF COUNCIL MEMBER STEMPNIAK AND SECONDED BY
COUNCIL MEMBER MONTOUR FOR ADJOURNMENT OF THE MEETING, on roll,
which resulted as follows:

| | |
|------------------------------------|------------|
| SUPERVISOR GIZA | VOTED YES |
| COUNCIL MEMBER MONTOUR | VOTED YES |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPNIAK | VOTED YES |
| COUNCIL MEMBER ZARBO | WAS ABSENT |
| PLANNING BOARD MEMBER ANDERSON | WAS ABSENT |
| PLANNING BOARD MEMBER GOBER | VOTED YES |
| PLANNING BOARD CHAIRMAN KEYSA | WAS ABSENT |
| PLANNING BOARD MEMBER KORZENIEWSKI | VOTED YES |
| PLANNING BOARD MEMBER MYSZKA | VOTED YES |
| PLANNING BOARD MEMBER SOCHA | VOTED YES |
| PLANNING BOARD MEMBER SZYMANSKI | WAS ABSENT |

The meeting was adjourned at 6:43 P.M.

Signed _____
Johanna M. Coleman, Town Clerk